

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVICES – Commercial Taxes Department – Vijayawada No.II Division – Allegations against Sri N. Umamaheswara Rao, formerly Assistant Commercial Tax Officer (Int.), Vijayawada, presently Deputy Commercial Tax Officer (Retd.) and Sri V. Nageswara Rao, formerly Junior Assistant, O/o. the CTO, Autonagar, Vijayawada (now Retired as Senior Assistant) – Charges issued – Explanations submitted – Enquiry Officer appointed – Enquiry Report submitted - Show-Cause Notices Issued – Explanations submitted – Final Orders - Issued.

REVENUE (VIG.I) DEPARTMENT

G.O. (Rt.) No. 281 .

Dt.03.03.2011.

Read the following:-

- 1) CCT's Ref. No.DZ(4)/1395/2002, dt.05.05.2003.
- 2) DC (CT), No.I Division, Vijayawada Porc. Rc.A1/669/2003, dt.16.08.2003.
- 3) Sri N. Umamaheswara Rao, DCTO, WSD, dt.23.07.2003.
- 4) Sri V. Nageswara Rao, WSD dt.29.06.2004.
- 5) CCT's Ref.No.DZ(4)/1895/2002, dt.22.08.2003.
- 6) AC (CT) (Int.), No.II Divn., Vijayawada (E.O) Report Rc.I(3)/729/03, dt.23.09.2004.
- 7) AC (CT) (LTU), NO.II Divn., Vijayawada (E.O) Ref.No.RC.I(3)/729/2003, dt.11.05.2007.
- 8) Memo(SCN) No.38497Vig.I(1)/2004-4&5, dt.28.07.2008.
- 9) Sri N. Umamaheswara Rao, DCTO (Retd.) Repn., dt.19.08.2008.
- 10) Sri V. Nageswara Rao, Senior Assistant (Retd.) Repn., dt.26.08.2008.
- 11) Govt. Letter No.38497/Vig.I(1)/2004-8, dt.23.08.2010.
- 12) The Prl. Secretary, APPSC Letter No.1216/RT-I/1/10, dt.18.01.2011.

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In the references first and second read above Charges were framed against Sri N. Umamaheswara Rao, the then Assistant Commercial Tax Officer (Int.), Vijayawada-II (now DCTO (Retd.) and Sri V. Nageswara Rao, the then Junior Assistant, Office of the Commercial Tax Officer, Autonagar, Vijayawada (now Retired as Senior Assistant) on the allegations that they were responsible for loss of 700 "C" forms.

2) In the reference third and fourth read above both the above Charged Officers have submitted their Written Statements of Defense to the charges leveled against them.

3) In the references fifth read above, the Assistant Commissioner (CT) (Int.) No.II Division, Vijayawada was appointed as Enquiry Officer to conduct detailed enquiry into the charges framed against Sri N. Umamaheswara Rao, Deputy Commercial Tax Officer and Sri V. Nageswara Rao, Senior Assistant.

4) And in the references sixth and seventh read above, the Enquiry Officer has submitted Enquiry Reports stating that the charges leveled against the Delinquent Officers Sri N. Umamaheswara Rao, Deputy Commercial Tax Officer (Retd.) and Sri V. Nageswara Rao, Senior Assistant (Retd.) are held proved and found fault with both the Charged Officers.

5) And whereas, in the reference eighth read above, while furnishing copies of the Enquiry Report, Show Cause Notices were issued to the two Charged Officers, viz., Sri N. Umamaheswara Rao, Deputy Commercial Tax Officer (Retd.) and Sri V. Nageswara Rao, Senior Assistant (Retd.) duly indicating the proposed punishment of 5% cut in pension permanently against them.

6) And whereas, in the reference tenth read above Sri V. Nageswara Rao, Sr. Asst. (Retd.) has submitted his representation stating that he was suffering from heart trouble due to depression and he was under the care of the doctor at Heart Care Centre, Vijayawada. He is willing to accept the proposed punishment to be imposed and requested the Government to release his pensionary benefits after imposing the punishment, so as to enable him to meet his medical and financial expenditure.

7) And whereas, in the reference ninth read above, Sri N. Umamaheswara Rao, Deputy Commercial Tax Officer (Retd.) has submitted that the loss of C' forms occurred due to the

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irresponsible attitude of the staff members then working with him. He has not committed any irregularity knowingly and no loss of revenue was caused to the Government on account of loss of 'C' forms. He has requested the Government to reduce the punishment of penalty of 5% cut in pension, since it is heavy and requested to issue orders in the matter.

8) Whereas the aforesaid explanation submitted by Sri N. Umamaheswara Rao, Deputy Commercial Tax Officer (Retd.) is vague and unsustainable since he being the officer responsible for the safe custody of the 'C' Forms cannot escape responsibility by blaming the sub-ordinate officials.

9) And whereas, in the reference eleventh read above, the Principal Secretary, A.P. Public Service Commission was requested to obtain the concurrence of the Commission on the said punishment of 5% cut in pension permanently against Sri N. Umamaheswara Rao, Deputy Commercial Tax Officer (Retd.) and Sri V. Nageswara Rao, Senior Assistant (Retd.) for taking further action in the matter.

10) In the reference twelfth read above, the Principal Secretary, A.P. Public Service Commission have stated that the Commission agreed with the proposal of Government to impose the punishment of 5% cut in pension permanently against the above two Charged Officers.

11) Government, after careful examination of the matter in detail, hereby decided to impose the punishment of 5% cut in pension permanently against the Charged Officers Sri N. Umamaheswara Rao, Deputy Commercial Tax Officer (Retd.) and Sri V. Nageswara Rao, Senior Assistant (Retd.); under Rule 9 of A.P. Revised Pension Rules, 1980.

12) Now, therefore, in exercise of the powers conferred under rule 9 of A.P. Revised Pension Rules, 1980 read with rule 20 of the A.P. Civil Services (CCA) Rules, 1991, Government hereby impose the punishment of 5% cut in pension permanently against the Charged Officers, viz., Sri N. Umamaheswara Rao, Deputy Commercial Tax Officer (Retd.) and Sri V. Nageswara Rao, Senior Assistant (Retd.).

13) The Commissioner of Commercial Taxes shall take necessary further action accordingly.

(BY ORDER AND IN THE NAME OF GOVERNOR OF ANDHRA PRADESH)

ASUTOSH MISHRA
PRINCIPAL SECRETARY TO GOVERNMENT

To

The individuals concerned

through the Commissioner of Commercial Taxes,
A.P., Hyderabad.

The Commissioner of Commercial Taxes, A.P., Hyderabad.

Copy to:-

The District Treasury Officer, Krishna District at Machilipatnam.

The Director of Treasuries & Accounts, A.P., Hyderabad.

The Principal Secretary, A.P. Public Commission, Nampally, Hyderabad
(with reference to Lr.No.1216/RT.I/1/10, dt.18.01.2011).

The Accountant General, A.P., Hyderabad.

The Revenue (CT.I/CT.III) Department.

File/SF/SCs.

// FORWARDED :: BY ORDER //

SECTION OFFICER